

FORM PTO-1390  
(REV 2-2005)  
OMB-0651-0021

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
**12007-0070**

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: **January 24, 2007**

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 C.F.R. 1.5)  
**10/576,326**

INTERNATIONAL APPLICATION NO.  
**PCT/DE2004/002328**

INTERNATIONAL FILING DATE  
**OCTOBER 19, 2004**

PRIORITY DATE CLAIMED  
**OCTOBER 20, 2003**

**TITLE OF INVENTION: INTRAOCULAR LENS DEVICE FOR THE IMPROVEMENT OF VISION IN CASE OF RETINAL DISEASES (AS AMENDED)**

**APPLICANT(S) FOR DO/EO/US: Saadettin SEL and Jörg HEBER**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: copy of Notification of Missing Requirements

U.S. APPL. NO. (IF KNOWN,  
SEE 37 C.F.R. 1.50)  
10/576,326

INTERNATIONAL APPLICATION NO.  
PCT/DE2004/002328

ATTORNEY DOCKET NO. 12007-0070  
DATE: January 24, 2007

☒ The following fees are submitted:

☐ 21.) Basic National Fee ..... \$300

☐ 22.) Examination Fee - If International Preliminary Examination  
Report prepared by USPTO and all claims satisfy provisions of PCT  
Article 33(1)-(4) ..... \$100  
All other situations ..... \$200

☐ 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2)) has been paid  
in the International Application to the USPTO as an International  
Searching Authority ..... \$100  
International Search Report prepared and provided to the Office. \$400  
All other situations ..... \$500

TOTAL OF 21, 22 and 23 =

☐ Additional fee for specification and drawings filed in paper over 100 sheets  
(excluding sequence listing on computer program listing filed in an electronic  
medium). The fee is \$250 for each additional 50 sheets of paper or fraction  
thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
-100	0/50=		x \$250

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from  
the earliest claimed priority date [37 C.F.R. 1.492(h)].

Claims	Number Filed	Number Extra	Rate
Total Claims	- 20 =	0	X \$50.00
Independent Claims	- 3 =	0	X \$200.00

Multiple dependent claim(s) (if applicable) + \$360.00

TOTAL OF ABOVE CALCULATIONS =

Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later the 30 months  
from the earliest claimed priority date [37 C.F.R. 1.492(f)].

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must  
be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per  
property

TOTAL FEES ENCLOSED =

01/25/2007 LLA/CPA 00000036 10576326

01/25/2007

65.00 OP

Amount to be refunded	\$
Charged	\$

- a. ☒ A check in the amount of \$65.00 to cover the above fees is enclosed.  
b. ☐ Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$\_\_\_\_\_ to cover the above fee.  
c. ☒ A duplicate copy of this sheet is enclosed.  
d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Counsel's Deposit Account No. 50-1088.  
e. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be  
included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)]  
must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CLARK & BRODY  
1090 Vermont Avenue, N.W.  
Suite 250  
Washington, D.C. 20005  
Telephone: 202-835-1111  
Fax: 202-835-1755

Customer Number: 22902

Christopher W. Brody  
Registration No. 33,613  
Date: January 24, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

Page 1 of 2  
12007-0070  
DOCKETED  
Missing Parts  
Due: Jan 24, 2007  
Final: Jun 24, 2007

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,326	Saadettin Sel	12007-0070

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/DE04/02328

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

10/19/2004

10/20/2003

22902  
CLARK & BRODY  
1090 VERMONT AVENUE, NW  
SUITE 250  
WASHINGTON, DC 20005

CONFIRMATION NO. 9415

371 FORMALITIES LETTER



\*OC000000021333146\*

Date Mailed: 11/24/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/19/2006
- English Translation of the IA filed on 04/19/2006
- Copy of the International Search Report filed on 04/19/2006
- Preliminary Amendments filed on 04/19/2006
- Oath or Declaration filed on 04/19/2006
- U.S. Basic National Fees filed on 04/19/2006
- Priority Documents filed on 04/19/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,326	PCT/DE04/02328	12007-0070